

FCC Received December 16, 1993 @ 3:25 p.m.
Barbara A. Bradshaw

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

IN THE MATTER OF:

TRINITY BROADCASTING OF FLORIDA, INC.
and
GLENDALE BROADCASTING COMPANY

MM DOCKET NO. 93-75

Miami, Florida

RECEIVED

JAN 10 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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DATE OF HEARING: December 3, 1993

VOLUME: 9

PLACE OF HEARING: Washington, D.C.

PAGES: 982-1141

FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

RECEIVED

JAN 10 1994

IN THE MATTER OF:

TRINITY BROADCASTING OF FLORIDA, INC.
and
GLENDALE BROADCASTING COMPANY

Miami, Florida

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MM DOCKET NO. 93-75

The above-entitled matter came on for hearing
pursuant to Notice before Judge Joseph Chachkin,
Administrative Law Judge, at 2000 L Street, N.W., Washington,
D.C., in Courtroom No. 3, on Friday, December 3, 1993 at 9:30
a.m.

APPEARANCES:

On Behalf of Trinity Broadcasting of Florida, Inc.:

EUGENE MULLIN, Esquire
NATHANIEL EMMONS, Esquire
HOWARD A. TOPEL, Esquire
CHRISTOPHER HOLT, Esquire
Mullin, Rhyne, Emmons and Topel
1000 Connecticut Avenue, Suite #500
Washington, D.C. 20036-5383

On Behalf of Glendale Broadcasting Company

LEWIS COHEN, Esquire
JOHN SCHAUBLE, Esquire
Cohen and Berfield, P.C.
1129 20th Street, NW
Washington, D.C. 20036

On Behalf of S.A.L.A.D.:

DAVID HONIG, Esquire
DAVID McCURDY, Esquire
1800 NW 187 Street
Miami, Florida 33056

FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

1 APPEARANCES (Continued):

2 On Behalf of Chief, Mass Media Bureau:

3 JAMES SHOOK, Esquire
4 GARY SCHONMAN, Esquire
5 2025 M Street, NW, Suite #7212
6 Washington, D.C. 20554
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FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

<u>I N D E X</u>				
	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2				
3	SALAD Exhibit 1	1001		1054
	SALAD Exhibit 2	1001	1055	
4	SALAD Exhibit 3	1001		1056
	SALAD Exhibit 4	1001		1056
5	SALAD Exhibit 5	1001		1056
	SALAD Exhibit 6	1001	1088	1057
6	SALAD Exhibit 7	1001		1057
	SALAD Exhibit 8	1001		1057
7	SALAD Exhibit 9	1001		1058
	SALAD Exhibit 10	1001		1058
8	SALAD Exhibit 11	1001		1058
	SALAD Exhibit 12	1001		1027
9	SALAD Exhibit 13	1001	1030	
	SALAD Exhibit 14	1001		1035
10	SALAD Exhibit 15	1001		1035
	SALAD Exhibit 16	1001		1038
11	SALAD Exhibit 17	1001	1065	
	SALAD Exhibit 18	1001	1065	
12	SALAD Exhibit 19	1001		1048
	SALAD Exhibit 20	1001		1050
13	SALAD Exhibit 21	1001		1052
	SALAD Exhibit 22	1001		1054
14	SALAD Exhibit 23	1001		1059
	SALAD Exhibit 24	1001	1060	
15	SALAD Exhibit 25	1001		1060
	SALAD Exhibit 26	1001		1061
16	SALAD Exhibit 27	1001	1061	
	SALAD Exhibit 28	1001	1061	
17	SALAD Exhibit 29	1001	1063	
	SALAD Exhibit 30	1001	1063	
18	SALAD Exhibit 31	1001	1063	
	SALAD Exhibit 32	1001	1063	
19	SALAD Exhibit 33	1001	1063	
	SALAD Exhibit 34	1001	1063	
20				
	Bureau Exhibit 1	1071		
21	Bureau Exhibit 2	1071		
	Bureau Exhibit 3	1071		
22	Bureau Exhibit 4	1071		
	Bureau Exhibit 5	1071		
23	Bureau Exhibit 6	1071		
	Bureau Exhibit 7	1071	1127	
24	Bureau Exhibit 8	1071		
	Bureau Exhibit 9	1071	1127	
25	Bureau Exhibit 10	1071	1127	

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Bureau Exhibit 11	1071		
	Bureau Exhibit 12	1071		
3	Bureau Exhibit 13	1071		
	Bureau Exhibit 14	1071		
4	Bureau Exhibit 15	1071		
	Bureau Exhibit 16	1071		
5	Bureau Exhibit 17	1071		
	Bureau Exhibit 18	1071		
6	Bureau Exhibit 19	1071		
	Bureau Exhibit 20	1071		
7	Bureau Exhibit 21	1071		
	Bureau Exhibit 22	1071		
8	Bureau Exhibit 23	1071		
	Bureau Exhibit 24	1071		
9	Bureau Exhibit 25	1071		
	Bureau Exhibit 26	1071		
10	Bureau Exhibit 27	1071		
	Bureau Exhibit 28	1071		
11	Bureau Exhibit 29	1071		
	Bureau Exhibit 30	1071		
12	Bureau Exhibit 31	1071		
	Bureau Exhibit 32	1071		
13	Bureau Exhibit 33	1071		
	Bureau Exhibit 34	1071		
14	Bureau Exhibit 35	1071		
	Bureau Exhibit 36	1071		
15	Bureau Exhibit 37	1071		
	Bureau Exhibit 38	1071		
16	Bureau Exhibit 39	1071		
	Bureau Exhibit 40	1071		
17	Bureau Exhibit 41	1071		
	Bureau Exhibit 42	1071		
18	Bureau Exhibit 43	1071		
	Bureau Exhibit 44	1071		
19	Bureau Exhibit 45	1071		
	Bureau Exhibit 46	1071		
20	Bureau Exhibit 47	1071		
	Bureau Exhibit 48	1071		
21	Bureau Exhibit 49	1071		
	Bureau Exhibit 50	1071		
22	Bureau Exhibit 51	1071		
	Bureau Exhibit 52	1071		
23	Bureau Exhibit 53	1071		
	Bureau Exhibit 54	1071		
24	Bureau Exhibit 55	1071		
	Bureau Exhibit 56	1071		
25	Bureau Exhibit 57	1071		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Bureau Exhibit 58	1071		
	Bureau Exhibit 59	1071	1127	
3	Bureau Exhibit 60	1071		
	Bureau Exhibit 61	1071		
4	Bureau Exhibit 62	1071		
	Bureau Exhibit 63	1071		
5	Bureau Exhibit 64	1076	1127	
	Bureau Exhibit 65	1076		
6	Bureau Exhibit 66	1076		
	Bureau Exhibit 67	1076		
7	Bureau Exhibit 68	1076		
	Bureau Exhibit 69	1076		
8	Bureau Exhibit 70	1076		
	Bureau Exhibit 71	1076		
9	Bureau Exhibit 72	1076	1127	
	Bureau Exhibit 73	1076		
10	Bureau Exhibit 74	1076		
	Bureau Exhibit 75	1076		
11	Bureau Exhibit 76	1076		
	Bureau Exhibit 77	1076		
12	Bureau Exhibit 78	1076		
	Bureau Exhibit 79	1076		
13	Bureau Exhibit 80	1076		
	Bureau Exhibit 81	1076		
14	Bureau Exhibit 82	1076		
	Bureau Exhibit 83	1076		
15	Bureau Exhibit 84	1076		
	Bureau Exhibit 85	1076		
16	Bureau Exhibit 86	1076		
	Bureau Exhibit 87	1076		
17	Bureau Exhibit 88	1076		
	Bureau Exhibit 89	1076		
18	Bureau Exhibit 90	1076		
	Bureau Exhibit 91	1076		
19	Bureau Exhibit 92	1076		
	Bureau Exhibit 93	1076		
20	Bureau Exhibit 94	1076		
	Bureau Exhibit 95	1076		
21	Bureau Exhibit 96	1076		
	Bureau Exhibit 97	1076	1127	
22	Bureau Exhibit 98	1076		
	Bureau Exhibit 99	1076		
23	Bureau Exhibit 100	1076		
	Bureau Exhibit 101	1076		
24	Bureau Exhibit 102	1076		
	Bureau Exhibit 103	1076		
25	Bureau Exhibit 104	1076		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Bureau Exhibit 105	1076		
	Bureau Exhibit 106	1076		
3	Bureau Exhibit 107	1076		
	Bureau Exhibit 108	1076		
4	Bureau Exhibit 109	1076		
	Bureau Exhibit 110	1076		
5	Bureau Exhibit 111	1076		
	Bureau Exhibit 112	1076		
6	Bureau Exhibit 113	1076		
	Bureau Exhibit 114	1081		
7	Bureau Exhibit 115	1081		
	Bureau Exhibit 116	1081		
8	Bureau Exhibit 117	1081		
	Bureau Exhibit 118	1081		
9	Bureau Exhibit 119	1081		
	Bureau Exhibit 120	1081		
10	Bureau Exhibit 121	1081		
	Bureau Exhibit 122	1081	1127	
11	Bureau Exhibit 123	1081		
	Bureau Exhibit 124	1081		
12	Bureau Exhibit 125	1081	1127	
	Bureau Exhibit 126	1081		
13	Bureau Exhibit 127	1081		
	Bureau Exhibit 128	1081	1127	
14	Bureau Exhibit 129	1081	1127	
	Bureau Exhibit 130	1081	1127	
15	Bureau Exhibit 131	1081	1127	
	Bureau Exhibit 132	1081	1127	
16	Bureau Exhibit 133	1081		
	Bureau Exhibit 134	1081		
17	Bureau Exhibit 135	1081	1127	
	Bureau Exhibit 136	1081		
18	Bureau Exhibit 137	1081		
	Bureau Exhibit 138	1081		
19	Bureau Exhibit 139	1081	1127	
	Bureau Exhibit 140	1081	1127	
20	Bureau Exhibit 141	1081		
	Bureau Exhibit 142	1081	1127	
21	Bureau Exhibit 143	1081		
	Bureau Exhibit 144	1081	1127	
22	Bureau Exhibit 145	1081	1127	
	Bureau Exhibit 146	1081		
23	Bureau Exhibit 147	1081	1127	
	Bureau Exhibit 148	1081		
24	Bureau Exhibit 149	1081		
	Bureau Exhibit 150	1081		
25	Bureau Exhibit 151	1081		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
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<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Bureau Exhibit 152	1081	1127	
	Bureau Exhibit 153	1081		
3	Bureau Exhibit 154	1081	1127	
	Bureau Exhibit 155	1081	1127	
4	Bureau Exhibit 156	1081		
	Bureau Exhibit 157	1081		
5	Bureau Exhibit 158	1081		
	Bureau Exhibit 159	1081	1127	
6	Bureau Exhibit 160	1081		
	Bureau Exhibit 161	1081		
7	Bureau Exhibit 162	1081	1127	
	Bureau Exhibit 163	1081		
8	Bureau Exhibit 164	1081		
	Bureau Exhibit 165	1081	1127	
9	Bureau Exhibit 166	1081		
	Bureau Exhibit 167	1081		
10	Bureau Exhibit 168	1081		
	Bureau Exhibit 169	1081		
11	Bureau Exhibit 170	1081		
	Bureau Exhibit 171	1081		
12	Bureau Exhibit 172	1081	1127	
	Bureau Exhibit 173	1081		
13	Bureau Exhibit 174	1081	1127	
	Bureau Exhibit 175	1081		
14	Bureau Exhibit 176	1081		
	Bureau Exhibit 177	1081		
15	Bureau Exhibit 178	1081	1127	
	Bureau Exhibit 179	1081		
16	Bureau Exhibit 180	1088		
	Bureau Exhibit 181	1088		
17	Bureau Exhibit 182	1088		
	Bureau Exhibit 183	1088	1127	
18	Bureau Exhibit 184	1088		
	Bureau Exhibit 185	1088		
19	Bureau Exhibit 186	1088		
	Bureau Exhibit 187	1088		
20	Bureau Exhibit 188	1088	1127	
	Bureau Exhibit 189	1088		
21	Bureau Exhibit 190	1088	1127	
	Bureau Exhibit 191	1088		
22	Bureau Exhibit 192	1088		
	Bureau Exhibit 193	1088		
23	Bureau Exhibit 194	1088		
	Bureau Exhibit 195	1088	1127	
24	Bureau Exhibit 196	1088		
	Bureau Exhibit 197	1088		
25	Bureau Exhibit 198	1088		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
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	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2	Bureau Exhibit 199	1088	1127	
	Bureau Exhibit 200	1088		
3	Bureau Exhibit 201	1088		
	Bureau Exhibit 202	1088		
4	Bureau Exhibit 203	1088		
	Bureau Exhibit 204	1088	1127	
5	Bureau Exhibit 205	1088	1127	
	Bureau Exhibit 206	1088		
6	Bureau Exhibit 207	1088	1127	
	Bureau Exhibit 208	1088		
7	Bureau Exhibit 209	1088		
	Bureau Exhibit 210	1088		
8	Bureau Exhibit 211	1088	1127	
	Bureau Exhibit 212	1088		
9	Bureau Exhibit 213	1088		
	Bureau Exhibit 214	1088		
10	Bureau Exhibit 215	1088		
	Bureau Exhibit 216	1088	1127	
11	Bureau Exhibit 217	1088		
	Bureau Exhibit 218	1088		
12	Bureau Exhibit 219	1088		
	Bureau Exhibit 220	1088		
13	Bureau Exhibit 221	1088		
	Bureau Exhibit 222	1088		
14	Bureau Exhibit 223	1088	1127	
	Bureau Exhibit 224	1088		
15	Bureau Exhibit 225	1088		
	Bureau Exhibit 226	1088		
16	Bureau Exhibit 227	1088		
	Bureau Exhibit 228	1088		
17	Bureau Exhibit 229	1088		
	Bureau Exhibit 230	1088	1127	
18	Bureau Exhibit 231	1088		
	Bureau Exhibit 232	1088		
19	Bureau Exhibit 233	1088		
	Bureau Exhibit 234	1088		
20	Bureau Exhibit 235	1088		
	Bureau Exhibit 236	1088		
21	Bureau Exhibit 237	1088		
	Bureau Exhibit 238	1088		
22	Bureau Exhibit 239	1088	1127	
	Bureau Exhibit 240	1088		
23	Bureau Exhibit 241	1088		
	Bureau Exhibit 242	1088		
24	Bureau Exhibit 243	1088		
	Bureau Exhibit 244	1088		
25	Bureau Exhibit 245	1088		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2	Bureau Exhibit 246	1088		
	Bureau Exhibit 247	1088		
3	Bureau Exhibit 248	1088		
	Bureau Exhibit 249	1088		
4	Bureau Exhibit 250	1088		
	Bureau Exhibit 251	1088		
5	Bureau Exhibit 252	1088		
	Bureau Exhibit 253	1096		
6	Bureau Exhibit 254	1096		
	Bureau Exhibit 255	1096		
7	Bureau Exhibit 256	1096		
	Bureau Exhibit 257	1096		
8	Bureau Exhibit 258	1096		
	Bureau Exhibit 259	1096		
9	Bureau Exhibit 260	1096		
	Bureau Exhibit 261	1096		
10	Bureau Exhibit 262	1096		
	Bureau Exhibit 263	1096		
11	Bureau Exhibit 264	1096		
	Bureau Exhibit 265	1096		
12	Bureau Exhibit 266	1096		
	Bureau Exhibit 267	1096		
13	Bureau Exhibit 268	1096		
	Bureau Exhibit 269	1096		
14	Bureau Exhibit 270	1096		
	Bureau Exhibit 271	1096		
15	Bureau Exhibit 272	1096		
	Bureau Exhibit 273	1096		
16	Bureau Exhibit 274	1096		
	Bureau Exhibit 275	1096		
17	Bureau Exhibit 276	1096		
	Bureau Exhibit 277	1096		
18	Bureau Exhibit 278	1096	1127	
	Bureau Exhibit 279	1096		
19	Bureau Exhibit 280	1096		
	Bureau Exhibit 281	1096		
20	Bureau Exhibit 282	1096	1127	
	Bureau Exhibit 283	1096	1127	
21	Bureau Exhibit 284	1096		
	Bureau Exhibit 285	1096		
22	Bureau Exhibit 286	1096		
	Bureau Exhibit 287	1096		
23	Bureau Exhibit 288	1096		
	Bureau Exhibit 289	1096		
24	Bureau Exhibit 290	1096		
	Bureau Exhibit 291	1096		
25	Bureau Exhibit 292	1096		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2	Bureau Exhibit 293	1096		
	Bureau Exhibit 294	1096		
3	Bureau Exhibit 295	1096		
	Bureau Exhibit 296	1096		
4	Bureau Exhibit 297	1096		
	Bureau Exhibit 298	1096		
5	Bureau Exhibit 299	1096		
	Bureau Exhibit 300	1096		
6	Bureau Exhibit 301	1096		
	Bureau Exhibit 302	1096		
7	Bureau Exhibit 303	1096		
	Bureau Exhibit 304	1096	1127	
8	Bureau Exhibit 305	1096		
	Bureau Exhibit 306	1096		
9	Bureau Exhibit 307	1096	1127	
	Bureau Exhibit 308	1096		
10	Bureau Exhibit 309	1096		
	Bureau Exhibit 310	1096		
11	Bureau Exhibit 311	1096		
	Bureau Exhibit 312	1096		
12	Bureau Exhibit 313	1096		
	Bureau Exhibit 314	1096		
13	Bureau Exhibit 315	1096		
	Bureau Exhibit 316	1096	1127	
14	Bureau Exhibit 317	1096		
	Bureau Exhibit 318	1096	1127	
15	Bureau Exhibit 319	1096	1127	
	Bureau Exhibit 320	1096	1127	
16	Bureau Exhibit 321	1096		
	Bureau Exhibit 322	1096		
17	Bureau Exhibit 323	1096		
	Bureau Exhibit 324	1103		
18	Bureau Exhibit 325	1103		
	Bureau Exhibit 326	1103		
19	Bureau Exhibit 327	1103	1127	
	Bureau Exhibit 328	1103		
20	Bureau Exhibit 329	1103		
	Bureau Exhibit 330	1103		
21	Bureau Exhibit 331	1103		
	Bureau Exhibit 332	1103	1127	
22	Bureau Exhibit 333	1103		
	Bureau Exhibit 334	1103		
23	Bureau Exhibit 335	1103		
	Bureau Exhibit 336	1103		
24	Bureau Exhibit 337	1103	1127	
	Bureau Exhibit 338	1103		
25	Bureau Exhibit 339	1103		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Bureau Exhibit 340	1103		
	Bureau Exhibit 341	1103		
3	Bureau Exhibit 342	1103		
	Bureau Exhibit 343	1103		
4	Bureau Exhibit 344	1103		
	Bureau Exhibit 345	1103		
5	Bureau Exhibit 346	1103		
	Bureau Exhibit 347	1103		
6	Bureau Exhibit 348	1103		
	Bureau Exhibit 349	1103		
7	Bureau Exhibit 350	1103		
	Bureau Exhibit 351	1103		
8	Bureau Exhibit 352	1103		
	Bureau Exhibit 353	1103		
9	Bureau Exhibit 354	1103		
	Bureau Exhibit 355	1103		
10	Bureau Exhibit 356	1103		
	Bureau Exhibit 357	1103		
11	Bureau Exhibit 358	1103		
	Bureau Exhibit 359	1103		
12	Bureau Exhibit 360	1103		
	Bureau Exhibit 361	1103		
13	Bureau Exhibit 362	1103		
	Bureau Exhibit 363	1103		
14	Bureau Exhibit 364	1103		
	Bureau Exhibit 365	1103		
15	Bureau Exhibit 366	1103		
	Bureau Exhibit 367	1103		
16	Bureau Exhibit 368	1103		
	Bureau Exhibit 369	1103		
17	Bureau Exhibit 370	1103		
	Bureau Exhibit 371	1103		
18	Bureau Exhibit 372	1103		
	Bureau Exhibit 373	1103		
19	Bureau Exhibit 374	1103		
	Bureau Exhibit 375	1103		
20	Bureau Exhibit 376	1103		
	Bureau Exhibit 377	1103		
21	Bureau Exhibit 378	1103		
	Bureau Exhibit 379	1103		
22	Bureau Exhibit 380	1103		
	Bureau Exhibit 381	1103	1127	
23	Bureau Exhibit 382	1103		
	Bureau Exhibit 383	1103	1127	
24	Bureau Exhibit 384	1103	1127	
	Bureau Exhibit 385	1103		
25	Bureau Exhibit 386	1103		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2	Bureau Exhibit 387	1103		
	Bureau Exhibit 388	1103		
3	Bureau Exhibit 389	1103	1127	
	Bureau Exhibit 390	1103		
4	Bureau Exhibit 391	1103		
	Bureau Exhibit 392	1103		
5	Bureau Exhibit 393	1103		
	Bureau Exhibit 394	1103		
6	Bureau Exhibit 395	1103		
	Bureau Exhibit 396	1103		
7	Bureau Exhibit 397	1103		
	Bureau Exhibit 398	1103		
8	Bureau Exhibit 399	1103		
	Bureau Exhibit 400	1105		
9	Bureau Exhibit 401	1105		
	Bureau Exhibit 402	1105		
10	Bureau Exhibit 403	1105		
	Bureau Exhibit 404	1105		
11	Bureau Exhibit 405	1105		
	Bureau Exhibit 406	1105		
12	Bureau Exhibit 407	1105		
	Bureau Exhibit 408	1105		
13	Bureau Exhibit 409	1105		
	Bureau Exhibit 410	1105		
14	Bureau Exhibit 411	1105		
	Bureau Exhibit 412	1105	1127	
15	Bureau Exhibit 413	1105		
16	Glendale Exhibit 10	1114	1127	
	Glendale Exhibit 12	1114		
17	Glendale Exhibit 13	1114		
	Glendale Exhibit 21	1114		
18	Glendale Exhibit 32	1114	1129	
	Glendale Exhibit 39	1114	1131	
19	Glendale Exhibit 52	1114	1131	
	Glendale Exhibit 58	1114	1129	
20	Glendale Exhibit 59	1114	1129	
	Glendale Exhibit 61	1114		
21	Glendale Exhibit 62	1114	1129	
	Glendale Exhibit 75	1114	1132	
22	Glendale Exhibit 81	1114	1132	
	Glendale Exhibit 85	1114	1132	
23	Glendale Exhibit 87	1114	1133	
	Glendale Exhibit 88✓	1114	1133	
24	Glendale Exhibit 89	1114	1129	
	Glendale Exhibit 93	1114	1129	
25	Glendale Exhibit 94	1114		

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Glendale Exhibit 95	1114		
	Glendale Exhibit 96	1114		
3	Glendale Exhibit 97	1114		
	Glendale Exhibit 98	1114		
4	Glendale Exhibit 100	1114	1129	
	Glendale Exhibit 101	1114	1129	
5	Glendale Exhibit 102	1114	1129	
	Glendale Exhibit 103	1114	1133	
6	Glendale Exhibit 104	1114	1133	
	Glendale Exhibit 105	1114	1133	
7	Glendale Exhibit 106	1114	1133	
	Glendale Exhibit 107	1114	1133	
8	Glendale Exhibit 108	1114	1133	
	Glendale Exhibit 109	1114	1133	
9	Glendale Exhibit 111	1114	1134	
	Glendale Exhibit 112	1114	1134	
10	Glendale Exhibit 113	1114	1134	
	Glendale Exhibit 114	1114	1134	
11	Glendale Exhibit 115	1114		
	Glendale Exhibit 116	1114	1134	
12	Glendale Exhibit 117	1114		
	Glendale Exhibit 118	1114	1134	
13	Glendale Exhibit 119	1114		
	Glendale Exhibit 120	1114		
14	Glendale Exhibit 125	1114		
	Glendale Exhibit 130	1114	1137	
15	Glendale Exhibit 131	1114		
	Glendale Exhibit 132	1114		
16	Glendale Exhibit 134	1114		
	Glendale Exhibit 135	1114		
17	Glendale Exhibit 137	1123	1135	
	Glendale Exhibit 138	1123		
18	Glendale Exhibit 139	1123		
	Glendale Exhibit 140	1123		
19	Glendale Exhibit 141	1123		
	Glendale Exhibit 142 ^v	1123		
20	Glendale Exhibit 145	1123		
	Glendale Exhibit 146	1123		
21	Glendale Exhibit 149	1123		
	Glendale Exhibit 150	1123		
22	Glendale Exhibit 151	1123	1138	
	Glendale Exhibit 153	1123		
23	Glendale Exhibit 154	1123	1135	
	Glendale Exhibit 155	1123		
24	Glendale Exhibit 156	1123		
	Glendale Exhibit 157	1123	1138	
25	Glendale Exhibit 158	1123	1138	

FREE STATE REPORTING, INC.
 Court Reporting Depositions
 D.C. Area (301) 261-1902
 Balt. & Annap. (410) 974-0947

<u>1</u>	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
2	Glendale Exhibit 95	1114		
	Glendale Exhibit 96	1114		
3	Glendale Exhibit 97	1114		
	Glendale Exhibit 98	1114		
4	Glendale Exhibit 100	1114	1129	
	Glendale Exhibit 101	1114	1129	
5	Glendale Exhibit 102	1114	1129	
	Glendale Exhibit 103	1114	1133	
6	Glendale Exhibit 104	1114	1133	
	Glendale Exhibit 105	1114	1133	
7	Glendale Exhibit 106	1114	1133	
	Glendale Exhibit 107	1114	1133	
8	Glendale Exhibit 108	1114	1133	
	Glendale Exhibit 109	1114	1133	
9	Glendale Exhibit 111	1114	1134	
	Glendale Exhibit 112	1114	1134	
10	Glendale Exhibit 113	1114	1134	
	Glendale Exhibit 114	1114	1134	
11	Glendale Exhibit 115	1114		
	Glendale Exhibit 116	1114	1134	
12	Glendale Exhibit 117	1114		
	Glendale Exhibit 118	1114	1134	
13	Glendale Exhibit 119	1114		
	Glendale Exhibit 120	1114		
14	Glendale Exhibit 125	1114		
	Glendale Exhibit 130	1114	1137	
15	Glendale Exhibit 131	1114		
	Glendale Exhibit 132	1114		
16	Glendale Exhibit 134	1114		
	Glendale Exhibit 135	1114		
17	Glendale Exhibit 137	1123	1135	
	Glendale Exhibit 138	1123		
18	Glendale Exhibit 139	1123		
	Glendale Exhibit 140	1123		
19	Glendale Exhibit 141	1123		
	Glendale Exhibit 142	1123		
20	Glendale Exhibit 145	1123		
	Glendale Exhibit 146	1123		
21	Glendale Exhibit 149	1123		
	Glendale Exhibit 150	1123		
22	Glendale Exhibit 151	1123	1138	
	Glendale Exhibit 153	1123		
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	Glendale Exhibit 155	1123		
24	Glendale Exhibit 156	1123		
	Glendale Exhibit 157	1123	1138	
25	Glendale Exhibit 158	1123	1138	

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	<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
1				
2	Glendale Exhibit 160	1123		
	Glendale Exhibit 161	1123		
3	Glendale Exhibit 164	1123		
	Glendale Exhibit 165	1123	1138	
4	Glendale Exhibit 166	1123	1138	
	Glendale Exhibit 167	1123		
5	Glendale Exhibit 168	1123		
	Glendale Exhibit 169	1123	1137	
6	Glendale Exhibit 170	1123	1137	
	Glendale Exhibit 171	1123		
7	Glendale Exhibit 173	1123		
	Glendale Exhibit 174	1123	1135	
8	Glendale Exhibit 175	1123	1135	
	Glendale Exhibit 177	1123	1137	
9	Glendale Exhibit 178	1123		
	Glendale Exhibit 179	1123		
10	Glendale Exhibit 180	1123		
	Glendale Exhibit 181	1123		
11	Glendale Exhibit 183	1123		
	Glendale Exhibit 184	1123		
12	Glendale Exhibit 185	1123	1129	
	Glendale Exhibit 186	1123	1129	
13	Glendale Exhibit 187	1123		
	Glendale Exhibit 188	1123		
14	Glendale Exhibit 189	1123		
	Glendale Exhibit 190	1123		
15	Glendale Exhibit 191	1123		
	Glendale Exhibit 195	1123		
16	Glendale Exhibit 196	1123	1129	
	Glendale Exhibit 198	1123		
17	Glendale Exhibit 201	1123		
	Glendale Exhibit 202	1123		
18	Glendale Exhibit 203	1123		
	Glendale Exhibit 204	1123		
19	Glendale Exhibit 205	1123		
	Glendale Exhibit 206	1123		
20				
21				
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23				
24	Hearing Began: 9:30 a.m.		Hearing Ended: 4:00 p.m.	
25	Lunch Began: 12:30 p.m.		Lunch Ended: 1:45 p.m.	

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P R O C E E D I N G S

(9:30 a.m.)

1 JUDGE CHACHKIN: On the record. Today we're going
2 to take up S.A.L.A.D.'s exhibits as the first order of
3 business, is that correct?
4 MR. HONIG: Yes, Your Honor.
5 JUDGE CHACHKIN: All right.
6 MR. HONIG: Your Honor, S.A.L.A.D. has exchanged to
7 the parties and provided Your Honor with S.A.L.A.D. Exhibits
8 numbered 1 through 34 in a binder and is giving the court
9 reporter two copies. I'd also like to provide Your Honor, and
10 have already provided the recorder with a reformed exhibit
11 which is S.A.L.A.D. number 32. It is a, it's listed, it is 54
12 pages and it replaces the exhibit originally exchanged as
13 Exhibit 32, correcting a number of errors in copying and some,
14 and removing duplicated pages.
15 JUDGE CHACHKIN: Which are your color binders, I'm a
16 little --
17 MR. HONIG: One black binder.
18 JUDGE CHACHKIN: One black binder. Oh, this one.
19 All right.
20 MR. HONIG: We've already exchanged one binder of
21 exhibits --
22 JUDGE CHACHKIN: Yeah, but --
23 MR. HONIG: We thought, we thought this was a simple
24 case, Your Honor.
25

1 JUDGE CHACHKIN: Yeah. It's certainly proven to be
2 simple, yes.

3 MR. HONIG: Following -- Your Honor, should I read
4 through the descriptions and I, and identify the 34 exhibits
5 at this time?

6 JUDGE CHACHKIN: Yes, if --

7 MR. HONIG: Okay.

8 JUDGE CHACHKIN: -- you can do that.

9 MR. HONIG: Okay, S.A.L.A.D.'s Exhibit number 1 is
10 the September 16, 1993 deposition of Branford Brown which is
11 27 pages. S.A.L.A.D. Exhibit number 2 is the September 13,
12 1993 deposition of Andrew Cherry Jr., which is 49 pages.
13 S.A.L.A.D. Exhibit number 3 is the September 13, '93
14 deposition of Charles Carey, which is 32 pages. S.A.L.A.D.
15 Exhibit number 4 is the September 15, 1993 deposition of
16 Sherwood Dubois, 25 pages. S.A.L.A.D. Exhibit number 5 is the
17 September 13, 1993 deposition of Donald Jones, which is 21
18 pages.

19 S.A.L.A.D. Exhibit number 6 is the September 13,
20 1993 deposition of Johnny McMillion, which is 41 pages.
21 S.A.L.A.D. Exhibit number 7 is the September 13, 1993
22 deposition of Carlton Moore, which is 23 pages. S.A.L.A.D.
23 Exhibit number 8 is the September 13 '93 deposition of
24 Kathleen Shea, which is 21 pages. S.A.L.A.D. Exhibit number 9
25 is the September 13, 1993 deposition of Osvaldo Soto which is

1 52 pages. S.A.L.A.D. Exhibit number 10 is the September 15,
2 1993 deposition of Rodney Thaxton, which is 21 pages.

3 S.A.L.A.D. Exhibit number 11 is the September 15,
4 1993 deposition of William Thompson, which is 20 pages.

5 S.A.L.A.D. Exhibit number 12 is the August 9, 1993 declaration
6 of Bradford Brown, which is 2 pages. S.A.L.A.D. Exhibit 13 is
7 the August 9, 1993 declaration of Dr. Andrew Cherry, which is
8 three pages. S.A.L.A.D. Exhibit 14 is the August 9, 1993
9 declaration of Charles W. Cherry, which is two pages.
10 S.A.L.A.D. Exhibit 15 is the July 29, 1993 declaration of
11 Sherwood DuBois, which is two pages.

12 S.A.L.A.D. Exhibit 16 is the August 10, 1993
13 declaration of, of D. Marvin Jones, who is the same person as
14 Donald Jones. That is two pages. S.A.L.A.D. Exhibit 17 is
15 the August 10, 1993 declaration of Johnny R. McMillion which
16 is five pages. S.A.L.A.D. Exhibit 18 is the August 10, 1993
17 declaration of Carlton Moore, which is two pages. S.A.L.A.D.
18 Exhibit 19 is the August 11, 1993 declaration of Kathleen
19 Shea, which is two pages. S.A.L.A.D. Exhibit 20 is the August
20 10, 1993 declaration of Osvaldo Soto, which is two pages.

21 S.A.L.A.D. Exhibit 21 is the August 10, 1993
22 declaration of Rodney Thaxton, which is four pages.
23 S.A.L.A.D. Exhibit 22 is the July 30, 1993 declaration of
24 William Thompson Jr., which is two pages. S.A.L.A.D. Exhibit
25 23 is a 13 page biographical sketch of Bradford E. Brown.

1 S.A.L.A.D. Exhibit 24 is a 10 page vitae of Dr. Andrew
2 Lawrence Cherry, Jr. S.A.L.A.D. Exhibit 25 is a two page
3 resume of Charles W. Cherry II.

4 S.A.L.A.D. Exhibit 26 is a three page resume of
5 Rodney Thaxton. S.A.L.A.D. Exhibit 27 is a two page resume of
6 Carlton Moore. S.A.L.A.D. Exhibit 28 is a 14 page exhibit
7 consisting of excerpts of the issues programs list from 1987
8 through 1991 inclusive of Channel 45. These lists in
9 S.A.L.A.D. Exhibit 28 are, collect the programming which the
10 station claims to be responsive to the issue of AIDS.

11 And S.A.L.A.D. Exhibits 29 and --

12 MR. MULLIN: Excuse me. Could Counsel make clear
13 that S.A.L.A.D. Exhibits 28 through 34 were prepared by
14 S.A.L.A.D. and not by the station although they are excerpts
15 from issues programs list prepared by the station?

16 MR. HONIG: That's correct, and the cover page of
17 each of those is a cover page which was prepared by
18 S.A.L.A.D., and these were excerpts which were collected from
19 these issues programs list by S.A.L.A.D. which we believe to
20 be accurate and complete.

21 The, Exhibits 29 through 34 follow the same format
22 as S.A.L.A.D. 28. S.A.L.A.D. Exhibit 9 are those excerpts of
23 the issues programs list for those same years which the
24 station claims to be responsive to the issue of crime --

25 JUDGE CHACHKIN: You mean 29, not 9.

1 MR. HONIG: 29, I'm sorry, Your Honor. That is 56
2 pages.

3 S.A.L.A.D. Exhibit 30 are the excerpts of the issues
4 programs lists which the station claims to be responsive to
5 the issue of discrimination, ethnic and minority groups and
6 immigration. That is 16 pages. S.A.L.A.D. Exhibit 31 are,
7 consists of the excerpts of programming from the issues
8 programs list which the station claims to be responsive to the
9 issue of the economy, cost of living, inflation, poverty and
10 unemployment, and it is 34 pages.

11 S.A.L.A.D. Exhibit 32 are excerpts of the issues
12 programs list which the station claims to be responsive to the
13 issue of education and schools; that is listed in our summary
14 as 60 pages but we have exchanged a reformed exhibit which is
15 correct and that reformed exhibit is 54 pages. S.A.L.A.D.
16 Exhibit 33 is the excerpts of the issues programs list which
17 the station claims to be responsive to the issue of housing
18 and homelessness, and that's 18 -- it says copies but it's 18
19 pages, forgive me.

20 And S.A.L.A.D. Exhibit 34 is the excerpts of the
21 issues programs list the station claims to be responsive to
22 the issue of pollution and environment. That is 10 pages and
23 that concludes the contents of our exhibits which we've
24 exchanged.

25 We'd ask that they be marked for identification as

1 | stated.

2 | JUDGE CHACHKIN: The documents described by counsel
3 | will be marked for identification as S.A.L.A.D. Exhibits 1
4 | through 34.

5 | (The documents referred to as
6 | S.A.L.A.D. Exhibits 1 through 34 were
7 | marked for identification.)

8 | MR. MULLIN: Your Honor, could I say one thing?

9 | JUDGE CHACHKIN: Yes.

10 | MR. MULLIN: Judge Chachkin, S.A.L.A.D. Exhibits 28
11 | through 34, the illustrative program list, were referred to by
12 | different numbers in the depositions; however, it is very
13 | clear in context I believe the, what document is being
14 | referred to. If a formal stipulation is needed for example
15 | that S.A.L.A.D. Exhibit 28 was Trinity Deposition Exhibit 3,
16 | that can be provided, but I think that's probably not going to
17 | be necessary.

18 | JUDGE CHACHKIN: Fine.

19 | MR. HONIG: Your Honor, please forgive me for the
20 | fact that the exhibits are not in the most logical order for
21 | the purpose of, of moving their admission. With Your Honor's
22 | indulgence I'd like to just begin with Salad Exhibit 12,
23 | that's --

24 | JUDGE CHACHKIN: That's fine, as long as we've
25 | identified them in chronological order, we can begin anywhere.

1 MR. HONIG: Okay. We'd like to begin with
2 S.A.L.A.D. Exhibit 12, the declaration of Branford Brown. And
3 I would move S.A.L.A.D. Exhibit 12 into evidence.

4 MR. MULLIN: We object to 12 entirely, because this
5 witness, Dr. Brown, has no knowledge of Channel 45 programming
6 other than what he has read in the extracts from the issues
7 programs lists, or certain of them supplied by Mr. Honig. In
8 his deposition which serves I guess the purpose of voir dire
9 as well as the purpose of cross examination he was quite
10 explicit about that; for example the question was asked: "Is
11 this a true statement, all of your knowledge of the
12 programming on Channel 45 comes from what you have read in the
13 documents that have been identified in this proceeding as
14 Trinity Exhibit 20 and Trinity Exhibit 34," which are issues
15 programs list, and his answer was "That's correct." Then he
16 was asked, "And again, perhaps this is redundant but I want to
17 be very precise about it, you have not seen or reviewed any of
18 the particular programs that are described in that exhibit,"
19 his answer was "No, my knowledge of the programs is based on
20 the summaries, and I assumed of course that people did their
21 very best job to summarize the contents of the program in a
22 brief response."

23 I think this was the sort of thing that you must
24 have had in mind when at a prehearing conference you said, if
25 I understand you correctly referring to page 137 of the

1 transcript, insofar as they just review programs lists it
2 doesn't seem to be relevant. I think you said that or words
3 to the same effect several times on that occasion.

4 So on that basis we object to the exhibit entirely.
5 We will have other objections also, let me state them now.
6 It's also objectionable in its entirety because it simply
7 consists of this witness's evaluation of the content of
8 certain issues programs lists. He's saying the station should
9 have responded to the needs it ascertained with different
10 programming and indeed it might have, but that's for the
11 station to determine and not Dr. Brown to determine and that's
12 for you to determine whether or not that was accurately done.
13 For someone to come along later and say that different
14 programming responsive to the needs of pollution or
15 discrimination or different spokespersons should have been
16 offered is not appropriate testimony.

17 So on those two grounds we object to the exhibit in
18 its entirety.

19 MR. HONIG: Your Honor --

20 JUDGE CHACHKIN: Mr. Honig?

21 MR. HONIG: Your Honor, I'd like to respond to
22 Counsel's second objection first if I could. All of the
23 eleven S.A.L.A.D. witnesses are, and I think Counsel would
24 agree, distinguished community leaders. With the exception of
25 Donald Jones I think it would be accurate to say that they are

1 not people who have watched the station more than
2 sporadically; they are regular viewers as the Commission
3 defines regular but they are not consistent viewers. And
4 consequently they have provided an evaluation of the issues
5 programs list and have stated after reviewing those lists what
6 other types of programming they thought were appropriate.
7 Well, that's not dissimilar from the testimony that the 30
8 witnesses, community leader witnesses offered by Trinity have
9 provided. They have stated that they liked some of the
10 programming and thought it could be responsive. These
11 witnesses have said that they do not think some of the
12 programming was responsive. That is relevant evidence and,
13 and ought to be allowed in with the parties free to argue in
14 their findings whether some of the witnesses are more
15 competent than others. But certainly these witnesses are
16 competent on the subject of the community needs about which
17 they've testified.

18 Now as to Counsel's first objection relating to the
19 issues programs list, I think Counsel's objection properly
20 goes to the, the weight rather than the relevance or
21 admissibility of this declaration and the others. In the case
22 of Office of Communication of the United Church of Christ v.
23 FCC, 707 F2nd 1413 (DC Circuit 1983), the Commission reversed,
24 when it deregulated radio, on the one question of the need to
25 retain in the public files these issues programs lists. That